

REMARKS

This paper is submitted in reply to the Office Action dated September 29, 2006, within the three-month period for response. Reconsideration and allowance of all pending claims are respectfully requested.

In the subject Office Action, the Examiner restricted the application into two inventions, namely (I) claims 1-81, drawn to a pumping system, classified in class 604, subclass 67, and (II) claims 82-85, drawn to software, classified in class 700, subclass 282. In addition, claims 11, 23, 30 and 66 were objected to based upon informalities. Furthermore, claims 1-31, 46-67, 72-74, 78 and 81 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,501,665 to Jhuboo (Jhuboo), and claims 37-44 were rejected under 35.U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0205587 to Tribe (Tribe). Moreover, claims 32, 34, 36, 68, 70, 76-77 and 80 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jhuboo further in view of Tribe, and claims 33, 35, 45, 69, 71, 75 and 79 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jhuboo and further in view of U.S. Patent No. 6,485,465 to Moberg (Moberg).

Applicants respectfully traverse the Examiner's rejections to the extent that they are maintained. Applicants have canceled claims 82-85, and have amended claims 1-2, 5-7, 9, 11, 13-14, 19-20, 23, 25-26, 28, 30, 32-35, 37, 40-41, 46-51, 53-56, 58-64, 66, 69, 71-74, 78 and 81. Applicants respectfully submit that no new matter is being added by the above amendments, as the amendments are fully supported in the specification, drawings and claims as originally filed.

Now turning to the subject Office Action, and more particularly to the Restriction Requirement, in a telephone interview between the Examiner and Applicants' representative on September 25, 2006, Applicants elected the first invention claims, namely, claims 1-81, without traverse. Applicants appreciate the Examiner's call to their representative prior to issuance of the instant Office Action, and hereby affirm the election of the first invention without traverse.

Applicants further wish to thank the Examiner for the consideration extended in the telephonic interview conducted between the Examiner and Applicants' representative

on November 30, 2006. In that interview, the prior art was discussed, along with amendments to claims 11, 23, 30 and 66 to overcome the Examiner's objections and rejections in the instant Office Action. The Examiner indicated that the present amendments would overcome the prior art of record. Reconsideration and allowance of claims 1-81 are therefore respectfully requested.

In summary, Applicants respectfully submit that all pending claims are novel and non-obvious over the prior art of record. Reconsideration and allowance of all pending claims are therefore respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

December 29, 2006

Date

/Douglas A. Scholer/

Douglas A. Scholer

Reg. No. 52,197

WOOD, HERRON & EVANS, L.L.P.

2700 Carew Tower

441 Vine Street

Cincinnati, Ohio 45202

Telephone: (513) 241-2324

Facsimile: (513) 241-6234